

REMARKS

The application has been amended and is believed to be in condition for allowance.

Claims 1 and 11-13 are pending.

Claims 1, 11 and 12 stand rejected as anticipated by JP 10-140468, hereafter D1.

Claim 13 was rejected as obvious in further view of SCHOLL 3,893,238.

Attached is a partial translation of the cited JP 10-140468 of which the inventor is the same as the inventor of the present invention, i.e., Nobuo NASU.

The blade 67 and the lower blade 75 of the present invention correspond respectively to blade 48 and lower blade 49 of D1.

The Official Action has stated that D1 discloses synchronizing member 49. Lower blade 49 is not a synchronizing member.

See that in D1, below the conveyor belt 6 is provided a belt supporting element 50 which is concavely curved at a section corresponding to the lower blade 49. The belt supporting element 50 provides constant contact between the lower blade 49 and the texture to prevent the lower blade from being broken when the lower blade is in contact with and cuts the texture.

Claim 1 recites (emphasis added) "running a synchronizing member between the texture and the conveyor belt

synchronized with a horizontal movement of the cutter"; and "cutting the texture which is not in contact with the conveyor belt by using the cutter".

Lower blade 49 cuts the texture and is not a synchronizing member that runs between the texture and the conveyor belt synchronized with a horizontal movement of the cutter. Blade 49 provides a cutting.

Further, in D1 the cutting is done with the texture in contact with the conveyor belt. In D1, the lower blade 49 goes below the texture only after the cutting is performed. Therefore, the second step of claim 1 is not satisfied.

Contrast D1 with the current inventions synchronizing member 49 and 77. These prevent contact between the texture and the conveyor belt so that the conveyor belt is never damaged by the lower blade 75 which cuts the texture. On the other hand, the conveyor belt 6 of D1 is in direct contact with the lower blade 49 as shown in Figure 10. Accordingly, in D1 the conveyor belt may be damaged by the lower belt 49.

D1 does not anticipate as neither step of claim 1 is satisfied.

As to claim 11, at least the running and cutting steps are not anticipated. D1 does not disclose "running a synchronizing member between the texture and the conveyor belt, the running of the synchronizing member being synchronized with the horizontal movement of the cutter" or "cutting the texture

with the cutter with the texture not in contact with the conveyor belt".

The dependent claims are allowable at least for depending from an allowable claim.

Thus, the claims are both novel and non-obvious.

Allowance of all the claims is solicited.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/Roland E. Long, Jr./  
Roland E. Long, Jr., Reg. No. 41,949  
209 Madison Street  
Suite 500  
Alexandria, VA 22314  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

REL/lrs

APPENDIX:

The Appendix includes the following item:

- Partial translation of the cited JP 10-140468.



## San-A Patent Attorneys

(partial translation)

(paragraph 0019 of Japanese Patent Laid Open Gazette No.10-140468)

As shown in Figs.6 and 7, a frame 40 is fixed on the front surface of a cutter head 31 through a guide bearing 39. A center axis 42 having a bearing on its top is mounted which penetrates the frame 40. The center axis 42 is rotated with a rotation force which is transmitted from a rotation motor 43 through a timing belt 44 so that a rotation blade frame 45 connected to the center axis 45 is also rotated. A rotation blade driving motor 46 is mounted on the front surface of the frame 45, and the rotation of the motor 46 is transmitted to a rotation blade 48 through a driving belt 47 so that a texture on a conveyor belt 6 is cut with the rotation blade 48 and a lower blade 49 in contact with the rotation blade 48. Beneath the conveyor belt 6 is provided a belt supporting element 50 which is concavely curved at a section corresponding to the lower blade 49 in the longitudinal direction. The belt supporting element 50 can provide the constant contact between the lower blade and the texture and can prevent the lower blade from being broken in contact with a hard material when the lower blade 49 is in contact with and cuts the texture,